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(17)
CERTAIN
CONSIDERATIONS
UPON THE DUTIES
BOTH OF PRINCE
and People;

Written by a Gentleman of
quality, a Well-wisher both
to the KING and
PARLIAMENT.



OXFORD,

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(by Sir
John
Spelman)

OF THE
 CONSTITUTION
 FROM THE DUTIES



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Written by a Gentleman of
 the University of Oxford
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AMONG many intemperances that minister disturbance to the Church and State, we have those, whose supine affectation of flattery has grown to that impudence, as that they have not only for learnings sake disputed, but in the name of the word of God, and at the time and place when we should expect no other then the lively Oracles of God, delivered, that the persons, and fortunes of all Subjects, are absolutely at the will and command of the Prince, to dispose according to his will and pleasure. To such licentiousnes, we need give no other answer, then only to demandaund, that the maintainers of such Doctrine, would put us but a case, wherein (those opinions of theirs being admitted) a Prince can commit any Injustice, and that they would shew us, wherein lies the justice which the Scripture commaunds Princes to execute, and which it affirms to be the establishment of their Throne, and the violation of it to be their *Prov. 29. 4.* aduersity or subversion.

We have on the other side those, who finding it written, that Governours are for the good of the People, pursue it with Sophistry; That the people are the end of Princes and Governors beings: and that therefore as their government is for, or against the good of the People, so may they be continued or deposed by them. To that end also there are opinions set on foot; That all government first came from the people, and that all authority does in the last place reside in them; That in every Kingdome the whole bo-

dy of the people must of necessity contain, all power and authority whatsoever either is or may be erected in it; so as that all the people or the greater part of them (which amounts to all) may by their votes, re-assume all power into their own hands: abrogate all Ordinances: annul the formes of present government: and new mould the State into such formes and institutions as best liketh them. These are falsities which yet lay hold upon reasons, and prevaile over the judgements of many that are understanding men, and which have no evill affection toward government, and these are of that consequence, as that they subvert the stability of all kind of government whatsoever.

But were we shie of *Iesuitisme*, as well as of *Poperie*, we would not with so little examination receive opinions, which we know had their first hatching in the Schoole of the *Iesuite*. The matter would require a very large field, should we set forth all things that fitly conduce to the support of the truth, but my purpose is to be very short. Therefore declining to controvert what may be, and usually is alleaged in the matter, I shall humbly offer to consideration such apprehensions of the truth as I have conceived lesse vulgar, & submitting them to the approbation or correction of better judgements, expect they shall returne unto mee, with confirmation, or rectification of my own private thoughts; it from so mean a talent, no mite of benefit be raised to the publike,

And first, we are to consider that the originall of Kingdoms is of three sorts, to wit, Naturall, (which we may also call civill,) Violent, (or if you will, Martiall,) or mixt of these two. The first was of Parents over their children, childrens children, and servants bought or borne unto them. In this, the person of the Governour was before the being of the Subject, and his authority, before ever the Subject consented, or had power to obey or disobey. Such a King was *Shem*, called therefore *Melchisedeck*, or *King of righteousness*. And a Prince of this kind was *Abraham*, after that by Gods command he had left his Country and his father *Shems* house, and lived of himselfe, and Kings of this nature were they that were intimated in the names of *Abimelech*, *Abiam*, *Abiram*, *Abram*, *Abishalom*, &c. And this sovereignty was not inherent to the person of the Father only, but from him descended, by right of primogeniture, to the eldest sonne, to whole rule, we see that God subjected the younger.

The

The second sort of Kingdoms was wholly founded by the sword, over people that were subjugated by usurpers and invaders, such as followed the way of *Nimrod*: who being potent in his naturall dominion, used his power to the oppression of his neighbours, and changed the state of government into tyranny; I say not the state of liberty, (as if till then men had lived in solate liberty) but changed the naturall government into that which is tyrannicall.

The third sort had much what the same originall with the second: where people surcharged at home and forced abroad; men in division; in distresse; in feare; exiles; and fugitives, distrusting their present condition, served themselves on the Wit, Spirit, and courage of some notable man; to whose command they (with such limitation of his power as they could agree on,) subjected themselves; and then falling into action prospered even into a Kingdom: from hence sprung our Moderne Kingdoms, more novell and various in their frame, and many of them so qualified, as not properly to be called Kingdoms, but rather Republicques under Regall stiles, with Princes elective, much circumscribed in authority, and obnoxious to deposing. Now in the first and second sort, apparantly the people had never any thing to doe with the institution and limitation of Sovereign Power: and though in the third sort they had more to doe therewith, yet not alike in all of that sort, nor had they the whole and sole power of instituting, scarce in any of that sort, so as we must rectify that misapprehension, that in all Kingdoms the first derivation of authority was from the people.

In the next place, we are to consider; that Kingdomes are not associations of men in their naturall capacities: but communions of men *quatenus* members politique, united in one common bond of obedience into one politicall body, where none can move to give his due aid for the weale of the body, but in the capacity of a politique member, and according to the peculiar office which every severall member properly ought to execute; which office the members duly exercising, make a true and perfect civill Communion. Now though we consider a Kingdom as a mere Civill or temporall State only; Yet even there, the observance of this communion is a duty strictly required of every member, even by the

law of nature, or morall law, and by the law of God it selfe. For man having lost his originall righteousness or justice, and consequently the right of governing himselfe; and being thereby necessarily subjected to the government of some justice without himselfe: it was necessary, for his owne good and safety, that he should not only be subject to this justice in the things that concerned the well governing himselfe toward others; but likewise in those things that concerned his safety and defence from the violence of others misgoverning themselves toward him, and that necessarily brings in Empire. So that (unlesse we can imagine some Kingdome to consist of people sprung of themselves, in perfection of righteousness, not depending, nor obliged to God, or nature; nor obnoxious to these conditions to which the fall of man has subjected all men,) we cannot devise how men should naturally be free from subjection to government; and lesse, how (being subject) private men in any State, should in their naturall capacity, meddle with any thing concerning government; or so much as goe about the making, changing, or pulling of ordinances; or to compell Governours to doe them, without being criminally culpable; not only against the positive lawes of the land, but even against conscience pressed with the bonds of naturall, or morall, and also divine law. Therefore to explicate the sense which all intend, but some (not well distinguishing) confound. It is certainly true, that all the people of a Kingdome must needs comprehend all power whatsoever is, or may be exercised in it: but when we say so, we by all the people, meane, the whole entire body of the members politique, from head to foot, every one of them abiding and working according to his proper and ordained office politique. But if beside their ordained office & power, any shall doe or attempt any alteration in the State, (howsoever intended for common good), their act must needs be so farre from being lawfull, as being from the beginning repugnant and resisting the ordained power, it can never become a lawfull act, though all the Subjects of a Kingdome should after consent unto it.

But in the third place, we are farther to consider: That if the Kingdome be also a Church of God, then is the originall, and authority of it, of farre higher nature, and more remote from the reach and power of the people. It is true, God is King of all Kings, and highest

highest Sovereigne in all Kingdoms, as well Heathen as Christian; yet, as he cautioned in the behalfe of his Church, that no stranger should be King there, but by any meanes one that was of the Brethren of the peoples so in His Church He himselfe is a heerer and (as it were) a more cognate Sovereigne, then in other Kingdoms; and his Vicegerents there, are of more immediate and more important subordination to him. For which cause he there reserves to himselfe the choice of the man, and leaves the people no more then the bare investing of him. Not but that God in all Kingdoms, makes Kings whom he pleaseth; but he will have it known, that in his Church, the choice is not only his, and to be sought at his hand; but that he more strictly requires the observance of his right, in his Church; then he does otherwhere. Therefore he expressly commands there; *Thou shalt in any case set him over thee, whom thy Lord thy God shall choose.* Deut. 17. 15.

And as in his Church he to himselfe reserved the nomination, so when he had nominated, he did not leave it to the people; there to declare the right and manner of the Kingdom: but by the Prophet by whom he signified his choice, by the same was the manner of the Kingdom declared to the people, written in a book and laid up before the Lord.

1. Sam. 10.
25.

Kings of Gods Church, having from God a more immediate and more sacred ordination, have also a more especiall endowment of his spirit, for which cause they have beene ever instituted with anointing, & their persons therewith consecrate, for the exercise of their function. This we see in *Saul*, whose person (though he were a wicked Prince) *David* in this respect declared so sacred, as that he pronounced a curse upon the Mountaines of *Gilboa*, because in them his person was cast downe and vilesied, without regard of the sacrednesse of his anointing. Their anointing therefore is not a meere outward solemnity, but is significant of the spirit of God in a more especiall manner given unto them, and from thence proceeds that which the Scripture witnesseth, *A divine sentence in the lipps of the King*, yea, and a sacred integrity also, *His mouth transgresseth not in judgement.* Prov. 16. 10.

And suitable to their Prerogative of graces, beyond the ordinary of other Princes, God vouchsafes them his care, with more favour and familiarity then to the other, as we may see by his ready hearing, gracious answers,

vouch-

Prov. 8. 15.
Psal. 81.

1. Pet. 2. 13.

Rom. 13. 5.

Prov. 24. 21.

vouchsafed messages sent, and will declared touching them; not only to the good, as *David, Salomon, Asa, Jehosaphat, Hezekiah, Jashab, &c.* but even to *Coniah, Saul, Ieroboam, Abah, Jahu,* and other wicked Princes. And we not only heare God himselfe saying, *by me Kings Raigne; and I have said ye are Gods:* but his word couples also the feare that is to be rendered unto Kings, with the feare that is due unto himselfe, *Feare God and the King. Keepe the Kings Commandement; in regard of the oath of the Lord.* Nor is it ordinary obedience that is commanded, but the highest (under God) *Submit unto the King, as unto the Supream.* And that not for the danger that may ensue, but (as the Apostle saith) *Nor for wrath only, but also for conscience sake.* Now if the King be supream, then is there in no Kingdome any superintending power or authority, that may lawfully call the King to account: for that power only is the supream, over which there is not any other to take account. So high and sacred is the authority of them whom God has made, *nursing fathers, and nursing mothers,* to his Church. When Kings then, both in their Persons, and Functions, are of so sacred an ordination; and so hedged in, by Gods especiall protection, where is there place for the people to interpose and meddle with the affaires that doe belong unto them? besides, when without the Kings consent there can be no concurrence of people, to joyne in any accord for the disposing of any affaires of the Kingdome, but that the matter must first passe the project, solicitation, and prosecution of diverse private men, no way therunto authorized: how can any act of the people to such an end be justifiable, when an unlawfull beginning, (what number or quality soever the attempters be of) can never make a lawfull act? Therefore omitting those places of Scripture, *It is not fit to say to a King thou art wicked, Who may say to a King, what doest thou? Feare God and the King, and meddle not with those that love innovation:* And many others, (which yet block up the way against private mens meddling with matters of government.) If it were to be granted that the people in any Kingdome had power over all rights of the Kingdome; yet unlesse that by the Ordinances of that Kingdome, it be expressly declared and appointed, how, and by whom, that power shall be executed, (and by the way, where such Ordinances are, there is not a right Kingdome, but a Republique) and againe, unlesse

unless those ordinances be rightly pursued, there can be no combination, to doe any such act, but with the guilt of Sedition, and Treason, in the sight of God. For it will lye against every particular man, betweene God and his conscience to answer, who hath called thee to this? who hath separated thee? who hath made thee a Iudge or an Executor of these matters? And though it be pretended (and perhaps intended too) that the worke so to be done shall make for the glory of God and good of his Church: yet that will but little helpe the matter; for, for men to doe God a good office against his declared will, is to be Gods good maisters, not his good servants. He does expressly command, that *Every soule* Rom. 13. 1, 2
be subject to the higher powers; and declares plainly, that the powers that are, are ordained of God, and that they that resist the power, resist the ordinance of God, and receive to themselves damnation: and our Saviour himselfe forbids us, that we do not evil, that good may come thereon. The Scripture tells us the reason, for God hath 1. Sam. 15. 22.
no need of a wicked man, & he is best glorified when his voyce is obeyed. We have also the examples of Scripture to the same purpose. It did not only turne to sinne to *Saul*, that he, to satisfie the people in their devotion, spared the best of the *Amalekites* spoile to offer in sacrifice unto the Lord: when God had commanded that all should be destroyed: but it became a sinne even unto his rejection. And *Uzza* was stricke with suddaine death, for nothing 2. Sam. 6. 6.
 but putting his hand to the Arke of Gods Covenant; (which no man but the sonnes of *Aaron* might doe) yet *Uzza* did not doe it; 1. Chr. 13. 10;
 but with a good and a pious mind to save the Arke of Gods Covenant from falling. Therefore it is not enough for men to be assured that the worke which they doe, in their consciences tends to a good and a religious effect: but they must every man have a sufficient warrant for his conscience, and for his calling to the worke; that is, either the expresse word of God, or else such manifest inference and deduction from it, as by the concurrent judgement of the Church universally in all ages, is agreed for truth; not such judgement as some particular ministers take upon them to make, for the spirit of the Prophets, are subject to the Prophets; that is the spirits of the particular, to the spirit of the universall: For God is 1. Cor. 14. 32, 33.
 not the author of confusion, which else would necessarily follow. Men therefore must looke to the ground & first beginning of their actions;

actions; for if the root be evil, so will also the branches be, though it promises never so good fruit, and be countenanced by all the people of a Kingdom.

If further we looke into Scripture, The story of *Moses* is not without some doctrine to this point. *Moses* having an ardent zeale to the reliefe of his brethren the people of God, and finding himselfe above others insbled to be the instrument of their deliverance, both by his extraordinary abilities, & also through the great power he had with *Pharaohs* daughter, perswades himselfe, and (as appears by *St Stephens* relation) would have the people understand, that he was even then called to be their deliverer. Hereupon he makes his addresse to the people, and by the slaughter of one of their oppressors, takes say of their affection toward an attempt of liberty, as if there needed no more in the case, but that the people should resolve, and joyne with him to breake from the subjection of the King they lived under, who was an enemy to Gods Church. In this now, (though we make no question but that *Moses* had a zeale acceptable to God) yet may we see by that which followeth, that he had not yet a particular calling thereunto, neither was the way wherein he thought to have executed his zeale agreeable to the will of God; therefore the people themselves (whom *Moses* only sought unto) they reject him: his attempt is frustrate, and himselfe is driven to repent it with forty yeares exile in the wilderness. After that long space of expiating the errour of his selfe-led zeale, God calls him then indeed to the worke to which he came of himselfe before; *Come now* (saith God) *and I will send thee*: and God sends him then indeed; but sends him not to the people (that we may know he sent him not before) but (though he could have made the people able to make their owne way by the sword, and could by his command have made it lawfull so to have done) yet (to teach us the observance of justice and duty, in our proceedings) he sends him to the King, of him to demand the dismissal of his people, that so the peoples obedience to his messengers, and to the word delivered in his name, might be without any reluctance of conscience in regard of their allegiance to the King. When *Moses* did this way set upon the worke, all went the right way, and the unspeakable obstinacy of King *Pharaoh*, being aggravated by the sairennes of proceedings toward

Acts. 7. 25.
Exod. 1. 12.

Acts. 7. 30.

Exod. 3. 10.

(9)

toward him, did to his condemnation before men and Angels, and to the magnifying of Gods justice redound the more unto his praise and glory.

It is not inconsiderable that God by a Starre declared our Saviour in his birth to be the borne King of the Jewes; and in that stile brought the wise men to worship him. And likewise, that when our Saviour (to fulfill the prophesies concerning him) did solemnly present himselfe to *Ierusalem*: he suffered his Disciples publicly to congratulate his comming by the name of King, and told those that were offended at it, that their gratulation was so necessary, as that if they should omit it, the stones in their default would have performed it also. That he himselfe before *Pilate*, maintained that he was a King, and at his death had his Crosse (notwithstanding the Jewes opposed) adorned with the Title, King of the Jewes: but when the people would have made him King, he refused their officiousnes and would by no meanes accept of that dignity from them: he would rather be without his right, then receive it either in a wrong way, or from a wrong hand: no, he would not at any of their instances so much as acknowledge himselfe to be authorized for a judge or divider amongst them. So little did he acknowledge any power in them to confer crownes, or to have superintendence over them. But it is true, that when God had determined to make a division of the Kingdome of his people, the first King of the ten Tribes was of the peoples making, and was made in the way of reformation: but that you may know it was only permitted by God, that so he might give that stiff-necked people of the fruit of their owne hands, and make them an example unto others; he designed *Ieroboam* King, which neither anointing, nor blessing, nor other ceremony then a rent: the Prophet rent the new coate into twelve pieces, and when he had done, he gave him none of them, but (as if he would shew he should be a King in fact, not in right, in some way in which God would own nothing but the permission only) he bad him (as one would say) be his owne carver, and *take ten poices to himselfe*. What the progresse of the story was we all know; when the people had made a King of their own, then they and their King must have a Religion of their own fitted to their new framed Kingdome, and to effect that, the old Priests of God must be sent away,

1. King. 12. 4.

as absolute impediments to the setting of their new government: and when that was done; then were they absolute indeed, and had as much authority over their God, as they before had taken liberty against their King: so it followed, that when the People had made an usurper King, their King and they made a Cause their God; and the summe of the peoples reforming their Kings misgovernance, and relieving their own grievances, was; they made themselves a King that made them all castawaies: he himselfe the reproach of Sovereignty, and an infamous stigmatique to all posterity, and his sinnes for ever adhering to the People, till they had caused their utter extirpation, and till of free-borne Subjects under a King of their own, they became perpetuall slaves to the Subjects of another Kingdome: Sounpleasing to God, and so pernicious to the people themselves, are the fruits of those reformations which only or principally are managed by the popular inclination, in which, though for the most part a desire of doing justice, or preserving true religion be pretended; yet private discontent in some, and ambition in others, is commonly the chief and radicall incitement of the work.

1. Tim. 2.1.

Prov. 21.1.

The means that belongs to private men to use, for reforming of Kingdoms, is that which the Apostle shewes, *Let prayers, (saith he) and supplications be made for Kings and all that are in Authority, that we may lead a Godly life.* The people must not with impatience and puffed up mindes invade Gods peculiar right, of calling Kings to account, but every man betaking himselfe to the reformation of himselfe, and to prayers unto God, must seek of him (*that has the hearts of Kings in his hand*) to dispose the Kings heart to the desired reformation. Many think this way long and tedious, and like better that the people should *Offer themselves willingly*, and help God in some readier way. But truly if such private reformation and prayer be the right means of publique good, and be too long neglected, that is the peoples own fault; and they may not by their fault, gaine a power which before they had not. Yet true it is, that in great misgovernances, God often uses the peoples hand, to doe his work of justice, but that we may know the way is not right, as not agreeable to his revealed will; we shall finde that the work of justice that he to beginneth by them, he endeth not till he hath finished it on them, and his hand is never more heavy, then

then against that rodd, that in the way of injustice, hath done his justice service. But will you heare God himselfe taking cognisance of the misgovernance of Princes, and determining of it?

In the 81. *Psalme*, God declares himselfe to stand in the congregation of Princes, and to be judge among Gods. (so calleth he Kings there.) Then he expostulateth the matter with wicked Princes, *How long will ye give wrong judgement and accept the persons of the wicked?* Then he complaineth, *They will not be instructed, but walk on in darknesse, the foundations of the earth are out of square.* The misgovernance is great and the consequence. of it desperate, but does God in that case give the people power to reforme? No cleane contrary: God without any revocation still affirms, *I have said ye are Gods, and ye are all children of the most high.* *vers. 6.* persons sacred, not to be approached by the prophane hands of the people: but to awe, and restraints Princes, he tells them, that though he has made them Gods, yet *they shall dye like men*, when they must make account to him of their misgoverning: so that God reserves the judgement of them to himselfe, and no whit authorises the people to have any thing to doe with their misdoings.

This is not to flatter Princes, to say God has appointed men no meanes to relieve themselves against their misgovernment, but only prayers, to be made either to them, or for them: and that men have not otherwise to meddle with the rights of liberty and duties of Princes, then only by way of supplication. Nor is this a security for Princes, for though in a lawfull and ordinate way there be no other means, yet no examples are more familiar, then those in which the sinne, the injustice, and violence of wicked Princes, are in this world punished, by the sinne, injustice, & violence of wicked people, sometimes their own, sometime others subjects, Gods extraordinary and supream justice is tied to none of those regulations, with which he has circumscribed his ordinary justice committed to the administration of man, but (as we said before) we may still observe Gods indignation, not more fatally incensed against any, then against those whose wickednesse has put them forward to be the instruments of his extraordinary justice upon others.

But to pursue the examination of the right that people may have

in questioning and reforming the rule of Kings. Let us farther examine what we find in Scripture. *David* sinning by numbring the people, was enforced to his choice of one of three plagues, Famine, Sword, or Pestilence; *& Deus nullum avertit*; this is but a dolefull instance for the people. The King sinnes, and God laies all the punishment upon the people: Nay he gives not them so much as the choice of the punishment which they must suffer for the King, but the sinning King must choole, which of the three plagues, the innocent people must undergoe: this is strange, did not *the great judge of heaven and earth* do right? yes undoubtedly, and the matter was, the wickednesse of the people had grievously provoked God, so as the King must be let goe, and suffered to fall into sinne, that way may be made for the peoples punishment. This seems no lesse strange on the other side; that because the people sinne, therefore the Prince should be let fall: that for the transgressions of the land, the Prince (as wee have it in another place) should be punished with division and diminution, and *many should be the Princes of the land*: Nay, that for the sinne of the people, the Prince should be cast away, as in that place, *if ye doe wickedly, ye shall perish, you and your King*. All this were strange indeed, should we consider Prince, and people, as persons strangers in interest to one another: but therefore these places shew the strict union, and indivisible mutuality of interest, that they have in the doings and sufferings each of other, beyond any thing that can be created by the meer constitution or agreement of men.

This case of *David's* further teaches; that if, when the sinnes of the people be grown high, it be any way necessary that the King be let fall into sinne before the People be punished: then are Kings immediately between God and the people, and stand there like *Idols* in the gap, to with-hold the hand of God from the people, untill that they also by falling someway be removed. Again if the Kings transgression in government has the originall from the sinnes of the people; then are the People the prime offenders, and first agents in the Kings transgression, and He himselfe is as it were accessary, and in a manner passive in it. We see that God himselfe here judged so, and laid the reall punishment upon the people, whom he accounted the originall sinners: as for the King (to whom the sinne is verbally ascribed) we see God reckons, as if he

were

2. Sam. 24. 1.

1. Sam. 12. 5

were only passive in committing it, and therefore inflict no punishment on him, but what he voluntarily took upon him, an humbling of himself, and a compassionate fellowfeeling of punishment, such as a good common father has always by the sense of his peoples suffering.

It now followes plainly: that the people that have their hands in sinne, are no competent Iusticiars for hearing, judging, and reforming of any misdemeanours; especially of those in which they themselves (having the principall hand) are the principalls; and lesse, where the person questioned, is but an accessory, drawn in by them: and least of all, where he is a person sacred, and one so much superiour, as by Gods ordinance to stand immediately betwixt God and them, sure, he that would not suffer one with a beam in his eye, to pull a moat out of the eye of his brother; does not permit him to doe it toward one so much superiour as his Prince: nor suffer guilty Subjects to arraigne their soveraigne; guilty servants, their Lord; nor guilty sonnes their common father.

To conclude, we may consider the unlawfulnessse of popular animadversion into the manners and government of Princes, (especially of Princes that are lawfull Christian Monarchs) even in this alone, that there are no received, nor known bounds of limitation, how farre people may walk in the way of questioning and reforming the errors of Princes, but that if any thing at all be lawfull for them to doe therein, then may they without restraint proceed so farre as to depose Princes, and deprive them of their lives, if (according to the doctrine of the Iesuite) they finde it for the good and reformation of the Church and Commonwealth, which how well it is warranted by the word of God, we may see plainly enough in the case between *Saul* and *David*.

Saul was King, but, misgoverning himself and the Kingdom, became as bad as excommunicate and deposed: for he was rejected of God, and *David* was by Gods expresse command annoynted to be King, all which notwithstanding; neither *David* nor the people ever sought to depose him; to renounce obedience unto him; to combine against him; question his government, or so much as meddle with ordering any of the affaires that belonged to the King. Nay, *Saul* after this persecuted *David* unjustly, and in the midst of his unjust and hostile persecution, was delivered into *David*'s hand.

1. Sam. 15. 23;
& 16. 13.

1. Sam. 24. 5.

hand, and it was of necessity that *David* should take the advantage and kill him; for he could not otherwise have any assurance of his own life. *David* did then but even cut of the skirt of *Sauls* garment, to the end it might witness his faithfull loyalty, because it made it manifest he could as easily have cut the thread of his life; and even for this, his heart smote him, as that he cries out, *The Lord forbid that I should doe this thing to my Maister the Lords annointed*; so stretch forth my hand against him. That was not all neither, but there were more circumstances in the case; *Saul* was not yet reformed; and going on still, was another time delivered into *David*s hands, and the people both times understood it; the speciall delivery of his enemy into his hands by God; and would have embraced the opportunity and have made him away: *David* restraines them still with the same bridle; *The Lord forbid* &c; and tells them, *Who can lay his hands on the Lords annointed and be guiltlesse?* No, *David* (though already annointed) would tary Gods time, *the Lord should smite Saul, or his day should come, or he should descend into battaile and perish*; but *David*s hand should not be against him. No whatsoeuer *Saul* was, or whatsoeuer he had done; neither his falling from God, nor Gods declaring him rejected, nor *David*s annointing by Gods command, nor *Saul*s unjust persecution of *David* the Lords annointed in future, could dissolve the duty of his Subjects; nor make it lawfull for them to lay their hands on him; no not when he was in wicked hostility against them. But *Saul* in *David*s account, was still the Lords annointed; still a sacred person, still *David*s maister, notwithstanding the circumstances which might seeme to have discharged the eyes of duty which *David* and the people did formerly owe unto him.

1. Sam. 26. 9.

Neither is the annointing of Kings a thing sacred as to their own Subjects only: but the regard thereof is required at the hands of strangers also, because of the prophanation and sacriledge that in the violation of their persons is committed even against God. Wherefore, we see that though the *Amalekite* were a stranger, and made a faire pretence, that he had done *Saul* a good office, when at his own request he dispatched him of the paine of his wounds, and of the pangs of his approaching death: yet *David* (taking his fact according to his owne confession) makes a slight account of the causes which he pretended, as a frivolous extenuation of an haynous fact,

(815)

fact, and condemnes him, though a stranger, as an hainous Delinquent against the Majesty of God. *How wert thou not afraid (saith he) to stretch forth thy hand to destroy the Lords anointed?* neither his being a stranger, nor any of the other circumstances were so avaiable, but that his blood fell deservedly upon his own head. The act is in it selfe perfectly wicked, and in the degree hainous; altogether against the word of God: and therefore all actions of Subjects, that in the progresse of them tend, or by the way threaten to arrive at that upshot, are all unlawfull, fowle, and wicked; and not only the actors themselves wicked, but their assistants, favourers, those that with them well, or (as St Iohn speakes) *That bid them God speed, are partakers of their evil deeds.*

But error in this point, has made such impressions in the mindes of many, as that they will never be perswaded, but that they may disobey and resist Authority, if ever they finde it faulty, or the commaunds thereof not agreeing with their consciences. They will grant, that they may not disobey Authority in the lawfull commaunds thereof, neither doe evill that good may come thereon: but then, they themselves will be the judges what commaunds are lawfull, and what not; what things good, and what evill; & so they make obedience arbitrary, and government (by pretending conscience) at the discretion of the Subject: yea, though the things whereat they take check, be of their own nature indifferent, or doubtfull, (and therefore not matters of faith) yet will not they submit themselves, nor their opinions unto any, no not to the judgement of the Church they live in, no not to the judgement of the Church Catholique, nor to the authority of it, even in the purest times thereof. But they from the authority of their own opinions, or from the authority of such Teachers, as they themselves have chosen to themselves to be their guides, they will both censure, condemne, disobey, and revile the Ordinances of their Church, and the Governours thereof, so secure in opposing imaginary, or at least unproved superstition, as they will not see how incompatible, self-will, presumption, disobedience, arrogance and railing are with true Religion, nor that the false Teachers, and their Disciples (which our Saviour and his Apostles foretold should be in the *last and perillous times*, and which St Peter calleth *curfed children*) are not only described by this, that they *have a forme of Godlinesse, but*

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deny

2.Tim.3.5. deny the power thereof. That they are in *sheeps clothing*, but are *inwardly Wolves*. That the *fruit* they beare is not answerable to the tree they seem to be. That their way of working is after the way of private insinuation, *creeping into houses*, and *leading silly Women captive*. Having *itching eares*, and after their own liking *heaping to themselves teachers*. That they be *they that separate themselves*, and the like. But they are especially described to be *Traiterous, Heady, high-minded*, to be such as *despise government*, as are *presumptuous, self-willed*, and not afraid to *speak evill of Dignities*. And again that *Iude.8. & 11.* they *despise dominion*, and *speak evill of dignities*. And that they *Perish in the gainsaying of Corah*. now we know that the sinne of Corah was, that he (being a Levite, and countenanced by an hundred and fifty Princes of the assembly, famous in the Congregation, and at least fourteen thousand seven hundred of the people) upon his own private opinion (to which also his followers adhered) that both he, and all the Congregation were holy, and might offer incense before the Lord as well as *Aaron*, Charged *Moses* and *Aaron* that they tooke too much upon them, and that they exalted themselves above the Congregation of the Lord, and therefore they holding themselves in a parity of authority with them, would not appeare on their Summons, nor be obedient unto them. Yet (as if these passages of Scripture nothing concerned our times) we are nothing shie of those things whereof they doe admonish us.

There be some, that justify, that private men may resist authority, when it would doe that which is hurtfull to the Church of God, yea, that it is then their duty to resist it, that such resistance is no disobedience, no rebellion, no sinne at all. These swallow that which may not be granted, *viz*: that they are competent Iudges of the Churches hurt, and besides they make the rule that our Saviour gave us for discovering teachers of false Doctrine to be nothing worth. Our Saviour tells us, *we shall know them by their fruits*, as granting fruit to be a thing apparant, knowne of all and unchangeable: but these men make the fruit to alter according to the diversity of the tree that beares it, though otherwise it have the same shape, taste, and vertue. For example: disobedience, resistance of authority, sedition, and rebellion, are by the law of God, and by the law of nature, agreed both by Christians and Heathens to be *evill fruits*. But these men (and Iesuites) tell us that resisting

sisting authority, and raising force against it, thereby to worke the good and safety of the Church of God, though done by Subjects, is no resistance, no rebellion, no sinne. The fruit has lost his own nature, which in it selfe was nought, and takes a new nature of goodnes, because it was brought forth by the good tree of piety toward the Church of God. So our Saviours precept is made of no effect, and we must learne of the Iesuite, to un-know a knowne thing, and know it for some other thing, then ever we knew before, and that by a new way too; viz: by that which is not to be known of it selfe. We must know the fruit by the tree.

We deny not, but that authority may commaund things, that by no meanes at all ought to be done, and that then we must not doe them: but those things are such as are manifestly contrary to the expresse word of God, and principles of Religion. And even in them we are only simply to refuse the doing of the evill commaunded, without any actual resistance otherwise, and so doing, our not obeying, is not to be counted disobedience; because it being necessary obedience to the expresse word of God, the primitive Sovereign of all authority: it can never be disobedience as to the derivative. But where authority commaunds nothing against the expresse word of God, and principles of Religion (as in things disputable it doth not) there, except the Governours that are the derivative be obeyed, God, the primitive is disobeyed. For he strictly commaunds obedience to his Vice-gerents, even in every ordinance of man.

But we are also to take heed we play not the hypocrites with God. When thinking to doe a good office to the Church or State, we resist authority, that presses us with that, which (as we suppose) threatens depravation of true Religion, or due liberty. For what know we but that by *wrongfull suffering* (whereto all are called) God calls us to a tryall of our faith, patience, and obedience in that way, which if we doe not shew by keeping close to his command, not turning on the left hand to doe any evill though commanded, nor on the right hand to resist authority with violence, although it hath commanded evill, we then refuse Gods tryall, and with an unseasonable zeale for Religion, and for our wordly rights, we contrary to Gods commaund resist his lawfull Vice-gerents, & the excuse we have for it, is little better then like the Pharisees, to

1. Pet. 2. 21.

say Corban, God shall have profit by it in the good that we shall doe his Church thereby, and make the precepts of God of no effect; and auertert the glory that God seemed to seeke in our tryall: And having so justified our resistance, we must then call it pious, and an act of duty, and such as God requires, and so make God the author of our sinne, and lodge it where we can never repent us of it.

There may undoubtedly be such pressures laid upon Subjects, as that humanity cannot but commiserate, and perhaps in some part excuse their impatience and resisting of them. But the pietifulnes of the case cannot make the resistance lawfull, though we remit much to the doers, we must yet condemne the fact; and though their sufferings wash away much of the soile that would make both the deed and the doers more odious, yet must they be content to confesse the deed to be evil. But to justify it, were to commit the accursed sinne of calling good evil, and evil good; yea, the sacrilegious sinne of making God weak and wicked, who for the necessary support of his Church, should stand in need, and requite not only the helpe of sinfull men, but even of their sinnes also. Private men, in things not plainly forbidden, cannot say they resist not authority, but sinne: not the lawfull power, but the licentiousnes of them which abuse it: for they have no authority to distinguish. And if they offer to pull the mote out of the Governours eye, they will put a beame into their owne. For though we be every one tyed to resist sinne in our selves that we commit it not; yet are we not every one tyed to resist it in others, that they commit it not, and we must leave every thing to be rectified by those only, to whom it properly belongs; and where there is no ordinate meanes of reforming, there God has reserved that particular case unto himselfe, and we must not justle him out of his tribunall.

We might in this place remember also what infinite doubts, and questions (perpetually ensharing and wounding the consciences of private men, and with continuall disturbance and divisions threatening the ruine of the State) doe follow the admitting of this one opinion: that when other remedies faile, Subjects in case of necessity may leavy Armes, and defend their Lawes, Liberties, and Religion, against the oppressors of them. For what shall be sufficient necessity? and who shall be judge of it? what way, and how

farr may Subjects so proceed? who shall confound? &c. But it is impossible to set forth all the branchings and consequents of errors; or the confusions that follows upon them. We might also remember, what dangerous straines and snares these opinions are to those that have taken expresse oaths of obedience and allegiance; but we hope, that this shall be hint enough to stir men up to take heed, how they entertain such opinions: and if already they have been led away with them, they make a more advised examination of the matter, and like good Christians be content (whatsoever censure fall upon their actions past, or whatsoever diminution upon their present esteem) they will yet submit, that Gods truth may not be corrupted, nor his holinesse blasphemed, but that, as the Psalmist saies, *he may be justified in his sayings and be cleere when he is judged*, yea that God may be found *true and every man a liar*. Psal. 51.

We do not all this while contend that Princes are without law; we have in the entrance of our discourse shown the contrary: and we doubt not but that the rights & maners of Kingdoms, are religiously to be observed as well of the Prince as of the People: that the establishment of a Kingdom depends upon the observance of the rights thereof, as well by the one, as by the other: and that the Rights, and Maner of every Kingdom is as sacred as the Kingdom it selfe. When God layd a curse upon those that removed the bounds between private man and private man, he left not the bounds of publique right (in which all private right is included) open to secure violation: but what was wicked in the one case he accounted hainous in the other, as carrying with it, not only the transitory fortunes, but even the lives and soules of the People. And for this cause, when God finds in Princes the sinne of those that remove the bounds, he threatens that he will *Powre out his wrath on them like water*. It will not be unworthy our labour a little to enquire into the reason. Hosea. 5. 10.

Tyranny (as we have touched) began first in the Eastern parts, and thence dispersed it selfe through the world. And being from the beginning greivous, and incomfortable, in time it discovered it self to be but weak. Withall it was supposed, that the greivousnesse of it consisted in the Monarchall forme, for remedy of which they instituted, in some places Aristocraticall, in some pla-

ces Popular government. But in the use of them, they all also were discerned to be but other faces of the same tyranny: and men found plainly, that the absolute government of either People, or Nobles, was as well obnoxious unto tyranny, as the sole government of the Prince: and that in which of the three soever the government absolutely resided, the government was both tyrannicall and infirme: and that in every of them the comfortableness and stability depended only on the well regulating of the soveraign power, by a reasonable interposition of some power committed into the hands of the two other potent limbs. So it became an experimented principle among Statists; that the composite forme (wherein every of the three potent limbs, for the surer support of the instituted State, had such apporportioned influence and power as was proper for the frame of government) was the only firme and durable forme; and that of the three powers, Regall, Aristocraticall, or Popular, any of them prevailing so far, as to be wholly free from being qualified or tempered by some operation of the other two, corrupted the legitimate form into a tyrannicall, and made a prognostick of the States declining into ruine. This principle of State is not impeached by any instance of long continuance of the old *Assyrian*, or present *Turkish* Empire, because the *Assyrian* had a peculiar advantage of continuance, by 'the simplicity and unactiveness of the age it was in. And the *Turks* to worke their security and continuance, have wholly put out the light of knowledge from among their people, and have subdued them to a false Religion, that has in it selfe no other end, nor office, then only to keep men in subjection; so that they having deprived themselves of the principall of all conditions of humanity, and made themselves (in a manner) an Empire of beasts, the successe of their affaires determines nothing of the event of theirs, that ayme to live as men; much lesse of theirs, who are to live the lives of supernaturall men, that is to say of Christians.

Absolute power then, when it hath neither bound, nor limitation, (like the naturall heat too much enforced, which soon devours the radicall moisture that maintaines it) tends not to prosperity, but to the destruction of it selfe. For all things being created in number, weight, and measure, the destruction of their proportions must needs be the decay of their being. *Where there is*

no inclosure (saith the wise man) *there the possession goes to decay.* For though one, by decaying his fence, gives himselfe liberty to prey upon his neighbours, (which seems some advantage) yet he thereby layes himselfe open to be a prey also unto them; and when after he would close it again, he will find it hard to shut unruly beasts out from the haunt they have once gotten. Now for preservation of the bounds and fences of a Kingdom, it is necessary, not only to have just and equitable lawes, but it must have also an institution of good and sound orders, for the making and executing of those Lawes: which orders must be sacredly observed, for as evill words corrupt good manners; so evill manners frustrate the effect of all good lawes; and good manners (especially those that belong to government) are not preserved without strict adherence to the intituted orders of the Kingdom. Neither will those orders long continue valid and of use, unless the protection and care of them be committed into the hands of some conservatory power, more especially interested in the continuance of them. Who though not absolutely, nor with any single power of immediate coercion, yet by their powerfull intercession in the Councells, and convocate Assemblies of the State, may be effectually operative to the preservation of the publike right, for which cause the use of these Assemblies are by no meanes long to be neglected.

When then the continuance and prosperity of every State, stands upon no surer ground, then the observance of the Rights and Orders of the Kingdome: upon no better stand the lives and fortunes of the Subject, of the Prince, and Royall race; yea, and of the inheritance, and Church of God himselfe. And it is then no marvaile that God should threaten to *pour out his wrath like water on Princes that are like to those that remove the bounds.* It is no marvaile that to the Kings of *Judah*, (to whom God (no question) with a promise of perpetuity, gave the most absolute dominion that has beene communicable to the Princes of his Church) he should command, *Execute Tee judgement and righteousness, &c: for then shall Kings sitting on the throne of David, enter in by these gates, &c:* but otherwise, *I will prepare destroyers against thee.* It is the important consequence that makes God not give the charge without threatning. Though God declares Princes to be Gods among men,
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Hosea, 5. 10.

Ier. 22. 3. 7.

2.Sam.23.3.

Psal. 45.7.

Rom. 13.4.

yet between him and them, God (as *David* confesses) has made the observance of the rule of justice and religion, to be the condition of their reigning. *Bear rule* (saith God to *David*) *over men; being just, and ruling in the feare of God.* Indeed when Princes derive their authority from *Christ*, and justly challenge the prerogative of his vice-gerents, it well behoves them to looke that the derivatives faile not of the condition of their primitive. *The Scepter of Christs Kingdoms* is declared to be a *right Scepter*, and therefore *his seat to endure for ever.* If his vice-gerents would have their seates durable, they also must have care their Scepters be right Scepters: they must see that the aunciently-established Formes and Orders of their Kingdomes be not violated or neglected, but from time to time renewed and kept: they must not, to be absolute, breake the Rights, and Orders of the Kingdom, and thinke to be good and just Princes in their Arbitrary Rule: it were a reproachfull incongruity, and nothing suitable to the vice-gerents of *Christ*, to be good and faire Governours of that which they have made a tyrannicall government. The Governours and government must have one face and way, their rule cannot otherwise escape infamy; nor their providence cut off occasion from after times of invading the Rights, and consequently the continuance of their Kingdomes.

The Lawes then, the Rights, and Orders of Kingdomes, are most sacred, and binding, even to Kings themselves: but that is to be understood, in Safety, in Honour, in Conscience betweene God and them: not in any way, wherein, in their default, the people can become authorized. For if we looke to what is written, we find that when Subjects doe amisse, they ought to feare, for the Ruler is *Gods minister to take vengeance, and beareth not the sword in vaine.* But we read of no authority committed to the people, in case the Prince failes of his Duty; nor of any sword that is to be borne by them: if therefore they take the sword, or any course that leades unto it, they take the sword of injustice to the wounding of their own soules. But while we name the people in these things, we doe not make all Subjects, living under the obedience of Sovereignes, naturally to have this pretence, that they may doe themselves

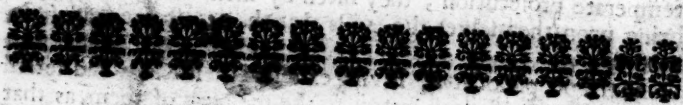
selves right, in case their Prince doe not. For as we see them
of their owne naturall inclination to desire a King, so we know
they naturally submit unto his government. And Prince, and
people, of themselves stand naturally well affected one to
the other. But as there are those that are sinisterly officious to
the one, so are there toward the other also. And as those often
counsell the Prince, as if they would have him pull out the
stones from out the foundation of his Throne, to build higher the
roofe and enlarge the battlements thereof: so these often per-
swade the people, that they have the authority of Princes,
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ing to the Sovereigne right: these find pretences, and broach opi-
nions in the peoples behalfe; and then the people naturally jea-
lous, and impatient of the violation of their supposed Right or Li-
berty, are facile to entertaine suggestions, and through want of
judgment easily carryed away with them; but wanting also mode-
ration, they so violently adhere unto them, as that with their in-
temperate prosecution, they often by their owne instruments
bring upon themselves the evils that they most doe feare from
others.

1 Sam. 8. 9.

So the people of *Rome* having expelled their Kings and settled
a Republique with such hatred to the memory of them, as that
they would not endure the name of King: growing afterward
ill satisfied with the proceedings of their Senate, they would
not only have Tribunes, (Guardians of their Liberty, and Rights,)
which was indeed no more then necessary, but they would
have their Tribunes indued with *Consular* authority; then with
that of the *Dictator*; of the *Pontifex Max*: and whatsoever
other power the common-wealth afforded. In the end, they
made them so unresistable, to vindicate their Liberty against
the Nobles, and the Senate, as that in the upshot, when they
were become secure against their adverse party, they had
no meanes of interposition against the absolutenes of their
own Guardians. Insomuch as that *Caesar*, obtaining to be
head of their Faction, could not be hindered, but that e-
ven under the formes which they ordained to preterve their
Liberty, he introduced a Tyranny more absolute, and worse
conditioned

conditioned, then was that of their Kings, which they expelled.

Hitherto tends the Doctrines of those, who while they pretend to instruct for the common good, Liberty, and Right, doo as 'it were appeal unto the people, and support their doctrines with the peoples approbation and applause, and do so, in thew make the people, and indeed themselves, the sovereign judges of all things.



FINIS.

